

Tuesday, May 22, 2018

2:00 p.m. – Regular Meeting

Alderlea – 40 Elizabeth Street South
(Note change to meeting location)

Members: City Councillor G. Dhillon – Wards 9 and 10
City Councillor P. Fortini – Wards 7 and 8

Broker Representatives:

Milton Bhangoo
Makhan Dhoother
Joe Farrugia
Avtar Grewal

Plate Owner Representatives:

Louis Gotzamanis
Amarjit Grewal
Lynn Slade
Zafar Tariq
Jaswant Uppal

Driver Representatives:

Daljit Gill
Rajinder Rai

Citizen Representatives:

Ravinder Chahal
Sushil Ninawat

Accessibility Advisory Committee Representative:

Raymond Shaver

For inquiries about this Agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:

Sonya Pacheco, Legislative Coordinator

Telephone (905) 874-2178, TTY (905) 874-2130, cityclerksoffice@brampton.ca

Note: Some meeting information may also be available in alternate formats, upon request

Agenda

Taxicab Advisory Committee

Note: Please ensure all cell phones, personal digital assistants (PDAs) and other electronic devices are turned off or placed on non-audible mode during the meeting.

1. **Approval of Agenda**

2. **Declarations of Interest under the Municipal Conflict of Interest Act**

3. **Previous Minutes**

3.1. **Minutes – Taxicab Advisory Committee – Special Meeting – April 23, 2018**

The minutes were considered by Committee of Council on April 25, 2018 and the recommendations were approved by Council on May 2, 2018. The minutes are provided for Committee's information.

4. **Delegations/Presentations**

5. **Reports**

5.1. Draft report from J. Bisson, Manager, Licensing Enforcement, Corporate Services, dated March 26, 2018, re. **Mobile Licensing By-law Review: Private Transportation Company (PTC)**.

Note: The subject report is provided to Committee for information and discussion purposes only.

6. **Other/New Business**

7. **Correspondence**

8. **Information Items**

9. **Question Period**

Agenda
Taxicab Advisory Committee

10. Public Question Period

15 Minute Limit (regarding any decision made at this meeting)

11. Adjournment

Next Regular Meeting: Tuesday, September 25, 2018



Monday, April 23, 2018

Members Present: City Councillor G. Dhillon – Wards 9 and 10, **Chair**
 City Councillor P. Fortini – Wards 7 and 8, **Vice-Chair**
 (arrived at 2:53 p.m. – personal)

Broker Representatives:

Milton Bhangoo
 Makhan Dhoother

Plate Owner Representatives:

Louis Gotzamanis
 Amarjit Grewal
 Lynn Slade
 Jaswant Uppal

Driver Representatives:

Daljit Gill

Citizen Representatives:

Ravinder Chahal

Accessibility Advisory Committee Representative:

Raymond Shaver

Members Absent: Joe Farrugia, Broker Representative (regrets)
 Avtar Grewal, Broker Representative (regrets)
 Zafar Tariq, Plate Owner Representative (regrets)
 Rajinder Rai, Driver Representative (regrets)
 Sushil Ninawat, Citizen Representative (regrets)

Staff Present:

Corporate Services Department:

J. Pittari, Commissioner, Corporate Services
 P. Morrison, Director, Enforcement and By-law Services
 J. Bisson, Manager, Licensing Enforcement
 M. Mulick, Supervisor, Licensing Enforcement

Office of the Chief Administrative Officer:

S. Pacheco, Legislative Coordinator, City Clerk's Office

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Minutes

Taxicab Advisory Committee

The meeting was called to order at 2:07 p.m. and adjourned at 3:29 p.m.

1. **Approval of Agenda**

The following motion was considered.

TC007-2018 That the agenda for the Special Taxicab Advisory Committee Meeting of April 23, 2018 be approved as printed and circulated.

Carried

2. **Declarations of Interest under the Municipal Conflict of Interest Act – nil**

3. **Previous Minutes**

3.1. **Minutes – Taxicab Advisory Committee – February 27, 2018**

The minutes were considered by Committee of Council on March 28, 2018 and the recommendations were approved by Council on April 4, 2018. The minutes were provided for Committee's information.

4. **Delegations/Presentations**

4.1. **Presentation by J. Bisson, Manager, Licensing Enforcement, Corporate Services, re: Private Transportation Company Licensing Considerations.**

Paul Morrison, Director, Enforcement and By-law Services, Corporate Services, provided background information regarding Council Resolution C035-2016, whereby staff was directed to review the Mobile Licensing By-law, in light of Transportation Network Company apps and operations, to make recommendations to Council to regulate these companies. Mr. Morrison advised that a report in response to this resolution will be presented to Committee of Council on June 6, 2018.

In response to questions from Committee, Mr. Morrison confirmed that input from all stakeholders has been received, the staff presentation will provide highlights of the draft report to Committee of Council, and any further input from Committee members at this meeting will be considered by staff for the final report.

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James Bisson, Manager, Licensing Enforcement, Corporate Services, provided a presentation entitled “Private Transportation Company Licensing” and provided details with respect to the following:

- Background information on the review of the Mobile Licensing By-law and public consultations
- Current situation, including enforcement efforts, benchmarking surrounding municipalities, and public feedback
 - Number of charges pending against Uber drivers
 - Public demand for ride-share services and an indication that staff have not received complaints regarding this service
 - Feedback from the Accessibility Advisory Committee
 - 2015-2017 taxicab industry data
- Corporate Implications
 - Non-tiered licence fee
 - The need for additional staff resources to assist with administration and enforcement
- Consultations with various stakeholders and an indication that many surrounding municipalities licence ride-share companies
- Draft schedule for a new class of licence entitled “Private Transportation Company” and details regarding the proposed provisions, relating to:
 - driver and vehicle requirements
 - maximum hours of work per week
 - insurance requirements
 - penalties for by-law violations
 - display of pricing information
 - accessibility requirements

Committee discussion took place and staff responded to questions regarding:

- process for licensing ride-share drivers
- data required to be submitted to the City by ride-share companies and an indication that staff will perform audits to ensure compliance
- safety certificate requirements for ride-share vehicles
- insurance requirements for ride-share companies and drivers, and an indication from staff that an insurance certificate must be submitted to the City
 - Committee members outlined concerns regarding insurance coverage for ride-share drivers, and expressed opinions that the insurance requirements proposed by staff are inadequate
- possibility for taxi brokerages to have the same insurance requirements as ride-share companies
- the possibility of providing staff’s report on Private Transportation Companies to members of the Taxicab Advisory Committee for review, prior to it proceeding to the Committee of Council

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- suggestion that ride-share drivers be required to obtain a licence directly from the City
- opportunity for Committee members to delegate Committee of Council when the report is considered on June 6, 2018
- charges against Uber drivers and fines for convictions

The following motions were considered.

TC008-2018 That the presentation by J. Bisson, Manager, Licensing Enforcement, Corporate Services, to the Special Taxicab Advisory Committee Meeting of April 23, 2018, re: **Private Transportation Company Licensing Considerations** be received.

Carried

TC009-2018 That staff be requested to review with the City Clerk, the possibility of providing a draft report regarding private transportation company licensing to the Taxicab Advisory Committee, prior to being presented to the Committee of Council.

Carried

5. **Reports – nil**

6. **Other/New Business – nil**

6.1. Discussion re: **Insurance Requirements for Ride-share Operators.**

Dealt with under Item 4.1 – Recommendations TAC008-2018 and TAC009-2018

7. **Correspondence – nil**

8. **Information Items – nil**

9. **Question Period**

1. In response to questions from Committee, staff provided information regarding the issuance of charges against Uber drivers, and the fines set by the Court. Staff added that as part of Council's Resolution (C035-

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2016), Legal Services staff was requested to report back with advice on the prosecution process and fine structure for offences enforced under the Mobile Licensing By-law.

2. In response to a question from Makhan Dhoother, Committee Member, James Bisson, Manager, Licensing Enforcement, Corporate Services, provided information on fines issued to taxicab drivers for not being able to produce a taxi licence, when in a taxicab.

10. Public Question Period – nil

11. Adjournment

TC010-2018 That the Taxicab Advisory Committee do now adjourn to meet again on Tuesday, May 22, 2018 at 2:00 p.m. or at the call of the Chair.

Carried

City Councillor G. Dhillon, Chair

Date: 2018-03-26

Subject: **Mobile Licensing By-law Review: Private Transportation Company (PTC) – All Wards**

Contact: James Bisson, Manager, Licensing Enforcement, Enforcement & By-law Services, 905.458.3424 ext. 63222

Recommendations:

1. That the report from James Bisson, Manager, Licensing Enforcement, Enforcement & By-law Services, Corporate Services dated March 26, 2018, to the Committee of Council Meeting of June 6, 2018, re: **Mobile Licensing By-law Review: Private Transportation Company (PTC)**, be received; and
2. That the Mobile Licensing By-law be amended to include the proposed By-law Schedule 6, Private Transportation Companies (PTC) attached as Appendix 2 to report entitled **Mobile Licensing By-law Review: Private Transportation Company (PTC)**.
3. That Staff monitor the operations of the Personal Transportation Companies (Schedule 6) licensing category for one year from the date of By-law enactment and provide a report back to Committee of Council on any adjustments required for the licence schedule.
4. That an additional four (4) enforcement officers, an enforcement clerk and a data analyst be hired on a contractual basis to assist with the licensing, inspection and enforcement for the new class of licence.

Overview:

- **The Taxicab Advisory Committee requested a review of the Mobile Licensing By-law split into two phases.**
- **The first phase was a review of taxicab and limousine industry and a second phase focused on ride share companies.**

- **Staff are proposing the by-law amendment attached as APPENDIX 2 to this report for Council's consideration which would create a new category of vehicle licence, Private Transportation Company (PTC).**
- **The new category requires a PTC to collect driver and vehicle information and vet the vehicles and drivers to ensure they meet the by-law requirements, with Staff monitoring the PTC to ensure compliance.**
- **The new category is a departure from the traditional licensing systems in the Mobile Licensing By-law, which require applicants for vehicle and driver licenses to attend at the Licensing Office to submit documents and pay licence fees.**
- **Toronto, Mississauga and many of the other surrounding municipalities have approved similar licensing requirements for ride share services.**

Background:

On February 24th, 2016, Council passed a resolution C035-2016 that directs staff to review the Mobile Licensing By-law in light of operation of Transportation Network Companies (TNC) such as UBER, in order to make recommendations to Council to consider changes that will regulate TNCs, taxicab and limousine businesses in the City of Brampton in a manner that will allow their businesses to operate in a fair and competitive environment that is safe for the public and provides consumer protection.

The process of staff developing a final report for the feasibility of licensing ride share companies started in July 2016 with a Taxicab Stakeholder Working Session held for taxicab owners and drivers. The purpose of the meeting was to present and seek feedback on changes to the Mobile Licensing By-law and regulations for ride share companies. The workshop was followed up with staff conducting a series of stakeholder outreach activities to gather feedback from all stakeholders. Feedback from the public clearly articulated a need for the continued regulation of taxicabs and limousines plus a desire to have ride share companies licensed.

At the May 30, 2017, Taxicab Advisory Committee (TAC) meeting the Committee requested that the review of the Mobile Licensing By-law be split into two phases. The first phase was to encompass consultations with stakeholders in the taxicab and limousine industries. The second phase encompassed consultations with ride share companies and the public. The reason given by the industry for this two phased approach was that several aspects of the by-law had not been reviewed in a number of years and they felt some of the requirements were placing a strain on the industry hindering them from being competitive.

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As part of the first phase Staff presented various changes to the industry through workshops, specialized meetings and TAC. Staff made presentations of options for by-law changes at the July 2016 workshop and the April 4 and May 30th, 2017 TAC meetings. As a result, the following amendments to the Mobile Licensing By-Law were passed by Council in 2016 and 2017:

- removing the need for driver training;
- adding additional years for vehicles to operate;
- removal of English language testing;
- fee reductions to the standard plate transfers;
- removing the change of vehicle fee; and
- increased taxi owner renewal fees and plate transfers to spouse and family members and to a corporation.

Thereafter, a work plan to address the second phase of the Mobile Licensing By-Law review regarding the regulation of TNC's was approved by TAC on October 23, 2017 and subsequently by Council on November 8, 2017. The Phase 2 Work Plan included the following:

- Review documents and recent publications related to ride sharing arrangements in municipalities;
- Conduct engagement activities with other key stakeholders related to ride sharing;
- Complete jurisdictional assessment including any preliminary findings/outcomes from pilot projects related to ride sharing;
- Review feedback from TAC and all stakeholders;
- Develop preliminary options and models for TAC discussion;
- Meeting with TAC to present preliminary findings and potential options and models for revisions to Mobile Licensing By-law related to ride sharing; and
- Develop final draft and submit to TAC.

This report addresses staff's review of the Mobile Licensing By-law and proposes a new licence model for the operation of TNC's within the City of Brampton for Council's consideration.

Current Situation:

Enforcement Efforts

On February 24th, 2016, Council passed a resolution regarding the review of the mobile licensing by-law and asked that TNC's (at that time UBER) cease operations within the City while the review is conducted.

Council directed that drivers of vehicles transporting customers for a fee pursuant to any UBER or any other TNC App cease operating in the City of Brampton.

Contrary to the Mobile Licensing By-law, Uber continued to operate within the boundaries of the City despite enforcement efforts and notwithstanding these operations were being conducted without a licence.

In December of 2017, Lyft, a competitor to UBER for many years, announced that it was going to operate in Toronto, the company's first operation outside of the United States. Staff is aware that Lyft have obtained licensing in Toronto, Mississauga and Oakville. Staff has investigated to see if Lyft is operating in Brampton without a licence and have confirmed that it is operating within our City boundaries. Staff have taken enforcement measures against Lyft drivers.

Enforcement of ride share companies has proven to be costly both in time and direct costs to the Corporation. The investigations require many hours of staff time and require the purchase of smart phones and of rides to prove the violation.

Benchmarking of Surrounding Municipalities

A significant majority of surrounding municipalities have chosen to license TNC's in separate licensing categories rather than prohibiting their operation or attempting to have the ride share services use the existing taxicab licensing systems. By way of example, the following municipalities and regional municipalities in Ontario have enacted by-laws to license the operation of TNC's:

- Toronto
- Mississauga
- Oakville
- Regions of Niagara and Waterloo
- Vaughan
- Hamilton
- Innisfil
- Sudbury
- Whitby
- London

In addition, the City of Windsor's Council has accepted a report from staff recommending a by-law to regulate ride share companies, but to date the by-law has not been enacted.

The Greater Toronto Airports Authority at Toronto Pearson International Airport is considering a pilot project to permit ride share companies an opportunity to access to the airport for passenger pick up. They presently accept passenger drop off by ride share companies.

Toronto

Toronto's City Council approved a new licence category for Private Transportation Companies (PTC) in July 2016. The Toronto by-law requires the PTC to collect all of the vehicle and driver information and provide this information to the City. The City of Toronto does provide a licence for each driver and charges a fee for the licence. The

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PTC must pay an initial fee of \$20,000 and a per ride fee of \$0.30. Although they licence the drivers, the applicants are not required to attend the licence office.

To accommodate the increase in workload staff requested 10 additional staff, to assist in administering and enforcing the new licence category. The staff estimates for the PTC licence revenue of \$3,455, 000.00 have been met and exceeded. The Executive Director, Municipal Licensing and Standards reported actual Licensing revenue at the end of November, 2017 as \$ 8,522,000.00 and increased the budget for 2018 for an additional \$916,000.00.

Mississauga

Mississauga's Council approved an 18 month pilot project in the summer of 2017, which is very similar to the City of Toronto's By-law licensing the company except the drivers are not individually licensed. There was 8 additional staff brought on to manage this project, which includes a project manager, administrative support person, 5 licence inspectors and a data analyst. The City also obtained the services of a forensic auditor to review the data provided by the TNC and provide reports on the compliance rates of the audits. The project team is gathering data on the compliance rate of the licensees to provide a report back to council on whether the licence category should continue.

The estimated yearly licence fees for PTC's (\$850,000) within the report is forecasted to meet and exceed, indicating that there is a market for TNC's in the City.

Oakville

The Town of Oakville approved a Transportation Network Company (TNC) By-law with an effective date of February 1, 2017. The Town of Oakville's by-law focuses on the TNC collecting the information, ensuring the drivers and vehicles meet the standards within the by-law and then supplying the information to the municipality. The Municipality is able to use the information provided to randomly inspect the operators in the field and to ensure the information provided is accurate and kept updated.

Region of Waterloo

Regional Council enacted a new by-law regulating auxiliary taxis in September 2016 with an implementation of December 1, 2016. The Region of Waterloo requires that the auxiliary taxi broker's collect the driver and vehicle information and supply the information to the Region on an electronic template supplied by the Region. The licensing section then issues licence numbers to the auxiliary taxi companies for the drivers and vehicles. Auxiliary taxis are not permitted to pick up hails or sit on taxi stands. The drivers only transport passengers who use the app.

Vaughan

In the summer of 2017, Vaughan City council endorsed staff's recommendations to license Private Transportation Companies. The PTC drivers must apply directly through the PTC. If a PTC is licensed in Vaughan and its drivers are licensed by another municipality, drivers are considered licensed in Vaughan after their first pick-up in the City. Vaughan has four categories of PTC's based on the number of vehicles affiliated with the PTC and requires an initial licence fee and provides for a renewal fee.

License Categories	2017 Initial fee	Renewal Fee	2018 Initial fee	Renewal Fee
PTC- up to 24 vehicles	\$390	\$252	\$402	\$260
PTC- 25 to 99 vehicles	\$1,500	\$1,500	\$1,545	\$1,545
PTC- 100 to 499 vehicles	\$2,500	\$2,500	\$2,575	\$2575
PTC- 500 or more vehicles	\$10,000	\$10,000	\$10,300	\$10,300

All PTCs pay a \$.11 per ride fee for each trip originating in the city. Vaughan was also the first city permitting reciprocal licensing for the drivers and vehicles.

Hamilton

In January 2017, Hamilton's Council approved a by-law for Personal Transportation Providers (PTP). The By-law requires PTP's to collect and screen drivers information as well as inspecting the vehicles. Hamilton's report requested an additional staff member for auditing and the proactive enforcement for the PTP's.

Innisfil

The Town of Innisfil partnered with UBER, in May 2017, to provide a Transit Service. The Town subsidizes fares ranging from \$3.00 to \$5.00 to the residents using UBER to transport them to several designated destinations. There is also a \$5.00 discount for any trip that starts and/or ends in the Town. The Town also partnered with Barrie-Innisfil Taxi to provide accessible trips to the same destinations as well as the discounted general trips. The partnership has been extended for another year, with staff reporting back again in March 2019. In the latest report to Council, staff requested that the taxi licence fees be waived for two years and that the requirement for taxi drivers to provide a yearly medical be waived.

City of Brampton - Public Feedback

Staff posted information concerning the review on the City of Brampton website in 2016, and has continued to update the page, informing the public of the by-law review and that the ride share companies were violating the City By-laws. Staff has not received any public complaints regarding the operation of ride share companies in the City. In the process of benchmarking the surrounding municipalities' staff observed that there is a demand by the public for an alternative service to taxis.

Staff consulted with the Accessibility Advisory Committee regarding the possible licensing of PTC's and they believed that although PTC's do not have wheel chair accessible vehicles, the apps do provide for accessibility. Committee members felt that since the companies have policies to accept service animals they should be also required to transport persons with disabilities with assistive devices that can be transported in sedans. This requirement has been added to the proposed by-law.

Brampton Transit saw an increase of 18% in ridership in 2017. In the process of gathering feedback, staff consulted with Brampton Transit and they indicated an interest in exploring partnerships with rideshare or taxi services in the future, that could potentially supplement the existing transit service.

An additional taxicab stakeholder workshop was held by staff, on July 19, 2017, with members of the taxicab industry in attendance. While the taxicab industry has indicated they prefer the status quo, they would be open to the ride share industry being subject to many of the same standards and licensing requirements as taxicabs currently adhere to.

The ride share company UBER has expressed interest in being regulated. They perceive themselves to be different from taxicabs and would prefer a licensing system similar to the bylaws enacted by the surrounding municipalities.

Based on the municipal benchmark summary above, Councils of other jurisdictions have enacted ride share licensing requirements have emphasized the following criteria; Consumer Protection, Passenger Safety, Vehicle Requirements and Accessibility.

City of Brampton staff used the same criteria along with the feedback received from the stakeholders in the preparation of the proposed Schedule 6 to the Mobile Licensing By-Law attached as **Appendix 1** to this Report, which proposes to license Personal Transportation Companies (PTC) within the City of Brampton.

The draft Schedule 6 takes into consideration the perspectives of the public, taxi industry along with the rideshare companies. **Appendix 2** to this Report provides a comparison chart that summarized the proposed requirements of Schedule 6 in relation to PTC's against the City's current taxicab requirements.

The Licence Enforcement Section currently consists of 5 Licence Inspectors, a Licensing Supervisor and a Manager of Licensing Enforcement. Except for the addition of a Licensing Supervisor in 2018, this staff compliment has not changed in over 10 years, yet the number of Mobile Licences has increased by 35% in that time and the number of Stationary Business Licences has grown by over 36% over that time. The addition of PTC's and the need for staff to audit the licensed PTC Vehicles and Drivers for compliance will place a pressure on the section to increase the number of Inspection staff. Staff recommend four (4) additional officers, an enforcement clerk and a data analyst be hired on a contractual basis to assist with the licensing, inspection and enforcement for the new class of licence.

City of Brampton's Taxi Industry Statistics:

Our taxi industry saw a 5% drop in fares between 2015 and 2016 and a 1.94 % increase between 2016 and 2017. There has been no significant change comparing 2015 to 2017 (-3%) taxi trips. This suggests the impact of ride share companies is lower in comparison to what has been presumed and verbally reported by the taxi industry.

	2015	2016	2017
Completed Taxi Trips	1,804,694 *	1,714,036	1,747,294
% of plates leased	66	61	58
Average Lease price	\$827	\$744	\$694
Average Transfer Value	\$97,333	\$46,833	\$55,075

*One of the four taxi brokers was not able to report the actual number of trips for 2015 due to changes within the company. The number of trips for the broker included in the completed trip number is an average of the reported trips of 2014, 2016 and 2017 for the broker. The overall number is comprised of the actual trips reported by the other three brokers for the year of 2015 and an average number for the other broker.

Based on information from other municipalities staff estimates that the ride share companies are providing almost the same number of trips as our taxis. This would indicate that there are two markets of riders in cities.

To create a licence schedule similar to the taxi industry would be prohibitive for ride share companies and would be operationally prohibitive for the licensing section to manage. The ride share model focuses on the idea that the driver partner operates on a part time basis and that the driver partners come and go on the App platform as the need arises. Driver Partners are not solely using the vehicle for the commercial purpose.

Amendment to the Mobile Licensing By-law – Schedule 6 - PTC Requirements

Brampton is the third largest municipality in the GTA and is working towards being a future ready city. Staff believe that the licensing of TNC's within the City is both a necessary and desirable aspect of the City's growth and modernization, which is

required to meet the needs of an expanding, youthful, and technologically savvy population.

As a result and based on the information collected by the City, including benchmarking of the licensing models and best practices implemented by other local area municipalities and the feedback from several consultation activities, as well as opportunities that link to our Brampton Transit, staff are proposing in this Report that the City amend the Mobile Licensing By-Law to add the attached Schedule 6- Private Transportation Company (Appendix 1) which establishes a separate licensing category for the vehicle-for-hire market within the City.

Staff will monitor the operations of the Private Transportation Companies (Schedule 6) licensing category for one year from the date of By-law enactment and will provide a report back to Committee of Council on any adjustments required for the licence schedule.

Summary of the proposed Schedule 6:

Under Schedule 6 the Personal Transportation Company (PTC) would be the applicant and would be responsible to collect all of the documentation from the driver and for the vehicle. The PTC will then be required to supply the information to the City. The PTC is responsible to ensure the requirements of the By-Law are maintained for both the vehicle and the driver. Staff will conduct inspections of the vehicles and of the documentation to ensure compliance. If staff finds violations of the By-Law the PTC would be charged.

Background Checks

The PTC would be required to apply the City's Licensing Threshold Policy (Appendix E to the Mobile Licensing By-Law) to all drivers applying to be on the PTC App. This includes a criminal background check along with a driver record check. The PTC will ensure that any conviction on the records are compliant with the threshold policy. The criminal background check and the driver abstract will be collected and retained by the PTC. If requested the PTC must provide the documents to the City.

The criminal background checks in Canada all come from the same source, the RCMP. This ensures that whether the check is completed by the local police force or another Police Service in Canada the results will be the same. This is not true for the United States. In the process of consulting with surrounding municipalities, none of them indicated a concern with the background checks.

Hours of Operation

Although ride share companies promote the idea that drivers tend to be part time and driver less than 10 hours on a TNC App, recently UBER announced that they have

implemented a policy for driver hour limits. The Uber App prompts drivers to go offline for 6 hrs after a total of 12 hrs driving time on the app. Staff are concerned that this allows drivers to operate a possible 18 hour day. This could lead to driver fatigue and related public safety concerns.

To address the above concern and to reflect the intended part-time nature of ride-share drivers, Staff propose a limit of 24 hours per calendar week per PTC Driver calculated based upon the cumulative duration of rides originating in the City. Taxicab drivers are limited to an average of 12 hours per day over a 7 day period.

Insurance Requirements

The PTC will be required to provide proof of insurance by way of a completed Certificate of Insurance with a provision to notify the City of any changes to the policy. PTC will be required to provide for commercial general liability insurance against all claims for personal injury including bodily injury resulting in death, and property damage with an inclusive limit of not less than five million (\$5,000,000.00) per occurrence insuring him or her against liability imposed by law for any loss or damage resulting from the carrying on of the business to which the Licence relates. As well as, a two million (\$2,000,000) policy for vehicles to cover the commercial operation of the vehicle. If the PTC Driver has their own commercial insurance policy the PTC must ensure it is valid at all times while the driver partner is using the APP.

Vehicle Restrictions

The vehicles associated with the PTC must:

- be a maximum of 7 model years old;
- have a trunk capacity to accommodate a wheelchair or other mobility devices;
- display an identifier as approved by the Licence Issuer; and
- be listed on a valid Identification Card issued by the PTC, which includes insurance coverage information pertaining to the vehicle and driver.

No Anonymous PTC Rides

The PTC App must provide customers with the first name and picture of the driver providing the service, as well as a description of the vehicle used, including the provincial plate number. This results in no anonymous PTC rides.

In addition, PTC Drivers will not be permitted to pick up street hails, use taxi stands. This also results in no anonymous PTC rides. Taxis are permitted access to taxi stands and street hails.

PTC Drivers are also not permitted to accept cash payments. All payments will be logged and processed through the PTC App. Taxis are permitted to take cash rides.

No Smoking

PTC will not be permitted to allow passengers to smoke in the vehicles. Currently taxis have stickers on the rear passenger windows identifying that smoking is not permitted. This is not a by-law requirement, but does assist in identifying that smoking is not permitted.

Rates

PTC's will not have minimum or maximum rates prescribed under the By-Law. The PTC will be required to inform the customer of the rate to be charged for the trip, including any applicable surge pricing, and providing an estimate of the total cost if requested by the customer. The PTC will also be required to list their rates on their webpage and provide a receipt to the customer showing the breakdown of the charges.

Staff do express concerns over the sustainability of ride share companies pricing in that there have been articles indicating that the companies are supplementing the fares in an attempt to consume the market. The City intends to monitor this concern on the local level and global level and report back on the issue.

Accessibility

PTCs are quite accessible for many people with disabilities. The vehicles will be required to have trunk space to accommodate a wheelchair or any other mobile assistance device. The drivers will be required to be trained to assist passengers with disabilities and to accept service animals. There are no requirements for the PTC to provide wheel chair accessible vehicles to transport individuals who require such vehicles. The PTC will be required to direct customers to taxi brokers that have access to accessible vehicles.

Corporate Implications:

Financial Implications

In benchmarking the licence fees of Canadian municipalities staff recommend that the PTC's have a non-tiered licensing system as follows:

	Licence Fee (yearly)	Additional Licence Fee per trip originating in Brampton
Private Transportation Company	\$20,000	\$0.30

There are currently three potential PTC's operating in the Greater Toronto Hamilton Area (GTHA). Staff estimate through discussions with one such company, UBER, that

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there may be close to 1,500,000 rides per year conducted by the PTC's resulting in the collection of \$450,000 in trip fees and approximately \$60,000 in licence fees.

Strategic Plan

This report achieves the Strategic Plan priorities by educating and engaging citizens in open and accountable ways that show value and enhance the image of the city, by seeking feedback from all stakeholders on ride share service licensing to provide effective vehicle for hire service to the citizens of the City. The new vehicle for hire schedule will meet the goal of Move and Connect by increasing local transportation methods to help people access places, goods and services.

Conclusion

Ride share service providers continue to operate within the City of Brampton contrary to the provisions of the By-law. Many of our surrounding municipalities chose to license the ride share companies rather than prohibit their operations. Brampton is left with a decision to continue to enforce the By-law or develop effective licensing requirements for regulating the ride share industry. Staff have developed a draft Schedule for Council's consideration. The draft schedule takes into consideration the input from the taxi industry, the ride share industry and the public. The requirements of the schedule take into consideration Consumer Protection, Passenger and Vehicle Safety Requirements and Accessibility.

In order to meet our cities goal of being "Future Ready" staff believe creating a licensing schedule for a new class of for-hire transportation provider entitled Private Transportation Company (PTC) provides the citizens with a safe and competitive for-hire transportation system.

Council's original direction to staff on February 24th, 2016 was to review the Mobile Licensing By-law in light of TNC apps and operations such as UBER in order to make recommendations to Council to consider for changes that will regulate TNCs, taxicab and limousine businesses in the City of Brampton in a manner that will allow their businesses to operate in a fair and competitive environment that is safe for the public and provides consumer protection. Staff believe that we have achieved Council's direction through the actions provided in this report.

Approved by:

Approved by:

Paul Morrison, Director,
Enforcement & By-law
Services, Corporate
Services Department

Joseph Pitarri,
Commissioner, Corporate
Services department

Report authored by: James Bisson, Manager, Licensing Enforcement, Enforcement & By-law Services, Corporate Services Department. 905.458.3424 ext. 63222

APPENDIX 1- Proposed By-law Amendment adding Schedule 6- Private Transportation Companies (PTC) to the Mobile Licensing By-law 67-2014.

APPENDIX 2 – PTC and Taxicab Licensing Schedule Comparison



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2018

To amend the Mobile Licensing By-law 67-2014, as amended, being a By-law respecting the licensing of mobile businesses operating within the City of Brampton specifically to add provisions for Private Transportation Companies (PTC's) (Schedule 6)

WHEREAS [authority] provides for...;

AND WHEREAS....

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. Mobile Licensing By-law 67-2014, as amended is further amended by deleting the definition of "Chief of Police" in section 4 of the By-law.
2. Mobile Licensing By-law 67-2014, as amended is further amended by deleting the definition of "Police" in section 4 of the By-law and replacing it with the following:

"Police" means a police officer employed by Peel Regional Police or the Ontario Provincial Police.
3. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the word "or" at the end of subsection 5. (1) (l) under Part III – Licensing Required;
4. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the period at the end of subsection 5. (1) (m) under Part III – LICENSING REQUIRED and adding a semi-colon and the word "or" at the end of the subsection 5.(1)(m)
5. Mobile Licensing By-Law 67-2014, as amended, is amended by adding subsection 5. (1) (n) as follows;
 - (n) runs, operates or carries on the business of a Private Transportation Company (Private Transportation Company – Sch.6).
6. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the reference to (m) in subsection 5. (2) and replacing it with (n);
7. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the reference to (m) in subsection 5. (3) and replacing it with (n);

8. Mobile Licensing By-Law 67-2014, as amended, is amended by deleting the reference to (m) in subsection 5. (4) and replacing it with (n);
9. Mobile Licensing By-Law 67-2014, as amended is amended by deleting subsection 55. (1) under Part XXI- CONTRAVENTION AND PENALTIES of the By-law and replacing it with the following:
- 55.(1) Every Person who contravenes any provision of this By-Law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, and the *Municipal Act, 2001*, as both may be amended from time to time.
5. Mobile Licensing By-Law 67-2014, as amended, is further amended by adding Schedule 6- Private Transportation Company attached to this By-Law as Appendix 1.
6. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix A, Licence Fees, and replacing it with Appendix A, Licence Fees attached to this By-Law as Appendix 2.
8. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix B, Mobile Licensing By-Law Licence Expiry Dates, and replacing it with Appendix B, Mobile Licensing By-Law License Expiry Dates attached to this By-Law as Appendix 3.
10. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix C, Certificate of Insurance, and replacing it with Appendix C, Certificate of Insurance attached to this By-Law as Appendix 4.
12. Mobile Licensing By-Law 67-2014, as amended, is further amended by deleting Appendix E Threshold Policy and replacing it with Appendix E, Threshold Policy attached to this By-Law as Appendix 5.

ENACTED and PASSED this [enter date] day of [enter month], 2018.

Approved as to
form.
20__/_/month/day
[insert name]

Linda Jeffrey, Mayor

Approved as to
content.
20__/_/month/day
[insert name]

Peter Fay, City Clerk

(file reference, if applicable, or delete)

SCHEDULE 6 – Mobile Licensing By-law**Relating to Persons who carry on the Business of
Owning and Operating a Personal Transportation Company****PART I - DEFINITIONS**

1. In addition to the terms defined in Part II of this By-Law, for the purpose of this Schedule:

“Facilitate” includes, but is not limited to, offering, operating, receiving, relaying, authorizing, enabling, communicating or providing;

“Personal Transportation Company” means a Person that, in any manner, advertises, offers, relays, enables, communicates or facilitates Transportation Services using a Platform to connect a Passenger or goods with a PTC Driver or a PTC Vehicle, and may also be referred to as a “PTC”;

“Personal Transportation Company Driver” means a Person registered or affiliated with a PTC that transports a Passenger or goods using a PTC Platform and may also be referred to as a “PTC Driver”;

“Personal Transportation Company Identifier” means a sign, including a decal, displaying the logo or name of the PTC and such other information as required by the Licence Issuer, in a form approved by the Licence Issuer and may also be referred to as a “PTC Identifier”;

“Personal Transportation Company Licence” means a Licence issued under this Schedule to a PTC and may also be referred to as a “PTC Licence”;

“Personal Transportation Company Vehicle” means a Motor Vehicle used by a PTC Driver to provide Transportation Services to a Passenger using the PTC Platform and may also be referred to as a “PTC Vehicle”;

“Platform” means any software, technology, or service, including a smartphone application

“Solicit” means to appeal for a Passenger by sound, words, signs, or gestures directed at any Person, but does not include communication over a PTC Platform;

“Street Hail” means to appeal for a ride by any Person using sounds, words, signs, or gestures directed at a PTC Driver, but does not include communication over a PTC Platform;

“Transportation Service” means a trip arranged through a Platform commencing when a Passenger or goods enters the PTC Vehicle, continuing for the period that

the PTC Vehicle is continuously occupied, and ending when all Passengers or goods exit the PTC Vehicle.

PART II – APPLICATION OF SCHEDULE

2. This Schedule does not apply to:

- (1) taxicab services dispatched by a licensed taxicab broker and taxicab services provided by a licensed taxicab plate holder or a licensed taxicab driver under the authority of Schedule 4: Taxicabs of By-law 67-2014, as amended;
- (2) limousine services provided by a limousine service provider under the authority of Schedule 2: Limousines of By-law 67-2014, as amended;
- (3) a motor vehicle used as part of a transit system offered by the City of Brampton or the Region of Peel such as the public transit services known as Züm/Brampton Transit and TransHelp;
- (4) a Person who facilitates “carpooling” as defined by the *Public Vehicles Act*; or
- (5) an emergency motor vehicle including but not limited to ambulance, fire department, or police vehicle.

PART III- GENERAL PROHIBITIONS AND OBLIGATIONS

In addition to any other provisions of this By-Law, for purposes of this Schedule:

3. No Person shall Facilitate Transportation Services unless authorized to do so by a Licence issued pursuant to this By-law.
4. No Person shall permit, accept, Solicit or condone Street Hails or the Solicitation of a Passenger by a PTC Driver or PTC Vehicle, whether on the street or at a Taxi Stand or in any other manner at any other location.
5. No Person shall Facilitate a Transportation Service that does not comply with this Schedule.
6. No Person shall obstruct the Licence Issuer's or an Inspector's use of the Platform to ensure compliance with this By-law, including, but not limited to the creation and use of accounts as either a Passenger or PTC Driver
7. No Person shall permit a PTC Driver or a PTC Vehicle to provide Transportation Services if the PTC Driver does not have the insurance required under this Schedule.
8. No Person shall permit payment by cash for a Transportation Service.

9. No Person shall permit any Passenger to smoke in the PTC Vehicle while it is providing Transportation Services.
10. No PTC Driver or PTC Vehicle shall provide Transportation Services unless they hold a valid Identification Card issued by a PTC required under section 34 of this Schedule.
11. Every PTC and PTC Driver shall ensure that a valid Identification Card required under section 34 of this Schedule is:
 - (1) in the PTC Vehicle at all times when Transportation Services affiliated with the PTC are offered or provided; and
 - (2) is produced immediately upon demand of an Inspector.
12. Every PTC Driver shall produce on demand of the Licence Issuer or an Inspector, the following documents:
 - (1) the PTC Driver's Identification Card;
 - (2) proof of valid insurance that meets the requirements of this Schedule; and
 - (3) any other information pertaining to the PTC Driver or the operation of the PTC Vehicle as requested by the Inspector.

PART IV-REQUIREMENTS OF PTC LICENSE APPLICATION

13. In addition to the general licensing provisions of this By-law, an Application for a new PTC Licence or a renewal of a PTC Licence shall be accompanied by:
 - (1) if the Applicant is a corporation, proof that it is legally entitled to operate in Ontario, including but not limited to:
 - (a) a copy of the incorporating documents;
 - (b) a copy of the last initial notice/notice of change which has been filed with the appropriate government department;
 - (c) a Certificate of Status issued by the Ministry of Government and Consumer Services; or
 - (d) a certified copy of an annual return and a list of all shareholders of the corporation.
 - (2) the address and contact information of the PTC's registered business address in the Province of Ontario, which is not a post office box, to which the City may send during business hours any notice or documentation or communication that may be required under this By-law and at which the Applicant or the Applicant's agent will accept receipt of such notice, documentation or communication together with the name, telephone, and email contact information for the person authorized to receive and respond on behalf of the PTC to any and all

communications from the City relating to the PTC's licence or the PTC's conduct of the business;

- (3) a PTC Identifier for approval by the Licence Issuer;
- (4) adequate demonstration that there are data security measures in place to protect the personal data collected by the PTC relating to Passengers and Drivers, to the satisfaction of the Licence Issuer;
- (5) documentation demonstrating that the Platform used:
 - (a) at the time the Transportation Service is arranged, provides to the Passenger requesting the Transportation Service:
 - (i) the PTC name and contact information;
 - (ii) the first name and photograph of the PTC Driver;
 - (iii) a description of the make, model and licence plate of the PTC Vehicle;
 - (iv) the surcharge, if any;
 - (v) an estimate of the total cost; and
 - (vi) the current location of the PTC Vehicle;
 - (b) provides a link to rate or provide comment on the PTC Driver and PTC Vehicle.
 - (c) provides a process allowing the Passenger to accept or refuse the Transportation Service prior to it commencing and keeps a record of such acceptance or refusal;
 - (d) provides a secure payment mechanism;
 - (e) provides a printed or electronic receipt to the Passenger at the end of the Transportation Service that includes the following information confirming:
 - (i) the fare rate and/or surcharges;
 - (ii) total amount paid;
 - (iii) date and time of pickup;
 - (iv) locations where the Passenger was picked up and dropped off; and
 - (v) the first name of the PTC Driver;
 - (f) incorporates a global positioning system (GPS) in which all Transportation Services are recorded; and
 - (g) is accessible for persons with disabilities;
- (6) a list of every affiliated PTC Driver and PTC Vehicle in a readily accessible format that includes:

- (i) the full name and address of every PTC Driver; and
 - (ii) the make, model and licence plate of every PTC Vehicle;
 - (7) proof of the insurance required under this Schedule to the satisfaction of the Licence Issuer.
 - (8) payment of the appropriate Licence Fee as set out in Appendix A of the By-Law; and
 - (9) any other information required by the Licence Issuer.
14. Every PTC shall make available to the public on its Platform, and by any other means of its choice, the following information:
- (1) the insurance coverage required to be maintained by the PTC and by the PTC Drivers;
 - (2) the Transportation Services offered by PTC Drivers;
 - (3) the applicable screening process for PTC Drivers and PTC Vehicles;
 - (4) that PTC Drivers can only provide Transportation Services that are prearranged using the platform of the PTC and not accept Street Hails or pick up fares at taxi stands; and
 - (5) that PTC Drivers cannot accept cash payment for Transportation Services.

PART V- INSURANCE

For purposes of this Schedule, the following insurance requirements shall apply:

- 15.(1) Every PTC shall provide proof of commercial general liability insurance against all claims for personal injury including bodily injury resulting in death, and property damage with an inclusive limit of not less than five million (\$5,000,000.00) per occurrence insuring him or her against liability imposed by law for any loss or damage resulting from the carrying on of the business to which the Licence relates.
- (2) The commercial general Liability policy in subsection 15(1) shall be in the name of the PTC and the City of Brampton shall be named as an additional insured.
 - (3) Every PTC shall ensure that every PTC Driver obtains and maintains, at all times during the provision of Transportation Services, Automobile Liability Insurance for owned or leased PTC Vehicles, with limits of not less than Two Million Dollars (\$2,000,000.00) exclusive of costs and interest, per occurrence for bodily injury, death, and loss or damage to property. The Automobile Liability Insurance shall include the IPCF 6TN *Permission to Carry Paying Passengers for a Transportation Network* endorsement or an equivalent endorsement acceptable to the Licence Issuer.

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- (4) The insurance coverage required under subsection 15(1) and (3) shall include a provision that requires the Insurer to provide the City of Brampton with no less than 10 days prior written notice of any cancellation or variation to the policy.
16. The certificate of insurance issued in respect of the policy in Section 15(1) shall be provided to the Licence Issuer prior to the issuance of the Licence in the form of proof set out in Appendix C of the By-law.
17. Every PTC shall obtain proof of insurance from every PTC Driver demonstrating compliance with the requirements of this Part prior to affiliation with the PTC Driver, and on an annual basis thereafter.
18. Every PTC shall keep such records of the PTC Driver's insurance coverage for a period of 3 years after the PTC Driver ceases to be affiliated with the PTC.
19. Every PTC shall produce proof of any PTC Driver's insurance coverage to the Licence Issuer upon demand.
20. The Licence Issuer may suspend the PTC licence if the PTC fails to comply with this Part until such time as the PTC provides proof of insurance coverage to the satisfaction of the Licence Issuer.
21. The PTC shall provide the Licence Issuer with such information as the Licence Issuer shall require, from time to time upon demand, to demonstrate that this Part is being complied with.

PART VI – PTC REQUIREMENTS

22. Every PTC shall create Passenger and PTC Driver accounts for use by the Licensing Section.
23. Every PTC shall ensure that the Licence Issuer's or an Inspector's use of the Platform as either a Passenger or PTC Driver will not be obstructed.
24. Every PTC shall keep an up-to-date list of every registered or affiliated PTC Driver and PTC Vehicle in a readily accessible format that includes:
- (1) the full name and address of every PTC Driver; and
 - (2) the make, model and licence plate of every PTC Vehicle.
25. Every PTC shall ensure that, prior to commencing as a PTC Driver and at all times when providing Transportation Services, a registered or affiliated PTC Driver:
- (1) is at least 18 years of age;
 - (2) has a valid G licence or higher;
 - (3) is able to communicate in English; and

- (4) has been advised and consents in writing to the personal information being submitted to the Licence Issuer for the purpose of auditing compliance with this Schedule.
26. (1) Every PTC shall obtain a Criminal Record search and a driving record abstract for each PTC Driver as follows:
- (a) the driving record abstract should be no older than 30 days from the date the PTC Driver applied for affiliation with the PTC.
 - (b) the Criminal Record search must be conducted by a Police Service within the Province of Ontario and should be no older than 30 days from the date the driver applied for affiliation with the PTC.
- (2) The PTC shall review the Criminal Record search and the driving record abstract and ensure the records do not exceed the thresholds found in Appendix E- Threshold Policy of this By-law.
- (3) The PTC shall require a Criminal Record search and driving record abstract to be submitted by the PTC Driver and reviewed annually, as long as the PTC Driver is registered or affiliated with the PTC.
27. No PTC shall impose any mandatory arbitration clause on PTC Drivers or Passengers whose Transportation Services are facilitated by the PTC.
28. No PTC shall require that the law of any jurisdiction other than Ontario be applied in relation to the use of the relevant PTC Platform in the City by PTC Drivers or Passengers.
29. No PTC shall permit a PTC Driver's access to the Platform immediately upon being notified by the Licence Issuer that a PTC Driver has acted in a manner that is adverse to the public interest, public safety or upon discovering that a PTC Driver is not insured under subsection 15(3) for so long as required by the Licence Issuer.
30. Every PTC shall provide the Licence Issuer with such information as he or she shall require to demonstrate that section 29 is being complied with.
31. (1) Every PTC shall prohibit a PTC Driver from using the PTC's Platform to provide Transportation Services originating within the geography area or boundaries of the City of Brampton for more than twenty-four (24) hours per calendar week.
- (2) Every PTC shall maintain and produce upon request of the Licence Issuer records required to establish compliance with subsection 31(a) for a period of 3 years.

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32. Every PTC shall ensure that a PTC driver complies with Part XXIII, Discrimination subsections 57.(1) and (2) of the by-law.
33. Every PTC shall ensure that a PTC Vehicle meets the following requirements at all times when providing a Transportation Service:
- (1) the PTC Vehicle has a valid Motor Vehicle registration and ownership, prior to commencement of use as a PTC Vehicle, and then annually thereafter;
 - (2) the PTC Vehicle has a valid and current Ontario Ministry of Transportation Safety Standards Certificate, prior to commencement of use as a PTC Vehicle, and then annually thereafter;
 - (3) if the vehicle accumulates more than 50,000 km in any calendar year, an additional Ontario Ministry of Transportation Safety Standards Certificate must be obtained;
 - (4) the PTC Vehicle is no more than 7 years old, excluding the manufactured year;
 - (5) the PTC Vehicle has four (4) doors and a maximum seating capacity of seven (7) Passengers excluding the PTC Driver;
 - (6) the PTC Vehicle is clean and in good repair as to its exterior and interior; and
 - (7) the PTC Vehicle is equipped with:
 - (a) fully functioning air-conditioning and heating system; and
 - (b) fully functioning seatbelts that are plainly visible and accessible to Passengers.
34. Every PTC shall issue to every affiliated PTC Driver an Identification Card in written or accessible electronic form providing the following information:
- (1) the date of issuance
 - (2) the first and last name and photograph of the PTC Driver;
 - (3) the make, model and licence plate number of the PTC Vehicle(s) used by the PTC Driver
 - (4) the name and contact information of the PTC; and
 - (5) the Insurance policy coverage for the PTC Vehicle.
35. Every PTC shall issue a new Identification Card after reviewing all of the requirements of this Part on a yearly basis from the time the PTC Driver is first registered or affiliated with the PTC Platform

36. Every PTC shall keep copies of the documents and information required under this Part for 3 years.
37. Every PTC shall make available to the Licence Issuer the records or information required in this Part within fort-eight (48) hours following a written demand by the Licence Issuer.
38. The Licence Issuer may refuse to grant or renew and may revoke or suspend a PTC Licence if the PTC fails to comply with any requirement of this Schedule or any provision of this By-Law.

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Appendix A - Mobile Licensing By-law
Licence Fees

MOBILE LICENCE FEES	YEARLY FEE	TWO YEAR FEE
Schedule 1- Driving Schools:		
Driving School Operator	\$152	
Driving School Instructor	\$94	\$188
Driving School Motor Vehicle Owner	\$167	
Schedule 2 - Limousines:		
Limousine Owner	\$263	
Limousine Driver	\$94	\$188
Schedule 3 - Refreshment Vehicles:		
Refreshment Vehicle Class A (Coffee Truck)	\$286	
Refreshment Vehicle Class B (Ice Cream Bike)	\$231	
Refreshment Vehicle Class C (Hot Dog Cart/ Chip Truck)	\$231	
Refreshment Vehicle Class D (Ice Cream Truck)	\$286	
Refreshment Vehicle Driver Class A	\$94	\$188
Refreshment Vehicle Driver Class B	\$94	\$188
Refreshment Vehicle Driver Class C	\$94	\$188
Refreshment Vehicle Driver Class D	\$94	\$188
Special Event-Refreshment Vehicle (All Classes)	\$109 Per Event	
Schedule 4 - Taxicabs:		
Broker- New	\$606	
Broker- Renewal	\$475	
Taxicab/Accessible Taxicab Owner - New	\$3,769	
Taxicab/Accessible Taxicab Owner - Renewal	\$430	
Taxicab/Accessible Taxicab Owner - Transfer	\$358	
Taxicab/ Accessible Taxicab Owner -Transfer from an Owner to their Spouse	\$358	
Taxicab/ Accessible Taxicab Owner -Transfer from the registered Owner to a sibling child of the Owner	\$358	
Taxicab/ Accessible Taxicab Owner -Transfer to a corporation controlled by that Owner	\$358	
Taxicab Driver	\$94	\$188
Schedule 5 - Tow Truck:		
Tow Truck Owner	\$348	
Tow Truck Driver	\$94	\$188
Schedule 6 – Private Transportation Company:		
Private Transportation Company – New and Yearly Renewal	\$20,000	
Private Transportation Company – Monthly paid on the 15 th of every month for every Transportation Service that took place the previous month.	\$0.30/Transportation Service originating in the City of Brampton.	
All Schedules-ADDITIONAL FEES	Each Item	
Replacement of Driver or Owner Licence	\$33	
Closed Application Fee	\$54	
Late Renewal	\$54	
Replacement of Plate	\$63	
Vehicle Inspection Fee (Not applied to Taxicab/Accessible Taxicabs)	\$123	
Schedule 4 - Taxicabs - ADDITIONAL FEES:	Each Item	
Extension of Vehicle Model Year	\$123	

Filing of Lease	\$63
Replacement of Driver's Photo I.D. Card	\$33
Replacement of Tariff card	\$33
Taxicab Priority List - Initial Application	\$123
Taxicab Priority List -Renewal	\$63

These rates shall automatically increase and be rounded up to the nearest dollar on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the 12-month period ending on September 30 in the year immediately preceding the rate increase date.

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**Appendix B - Mobile Licensing By-law
Licence Expiry Date**

MOBILE LICENSING EXPIRY DATES	EXPIRY DATE
Schedule 1- Driving Schools:	
Driving School Operator	February 28
Driving School Instructor	Date of Birth
Driving School Motor Vehicle Owner	April 30
Schedule 2 - Limousines:	
Limousine Owner	September 30
Limousine Driver	Date of Birth
Schedule 3 - Refreshment Vehicles:	
Refreshment Vehicle Class A (Coffee Truck)	March 31
Refreshment Vehicle Class B (Ice Cream Bike)	April 30
Refreshment Vehicle Class C (Hot Dog Cart/ Chip Truck)	March 31
Refreshment Vehicle Class D (Ice Cream Truck)	March 31
Refreshment Vehicle Driver Class A	Date of Birth
Refreshment Vehicle Driver Class B	April 30
Refreshment Vehicle Driver Class C	March 31
Refreshment Vehicle Driver Class D	March 31
Special Event	Last day of Special Event.
Schedule 4 - Taxicabs:	
Broker	February 28
Taxicab/Accessible Taxicab Owner	May 31
Taxicab Driver	Date of Birth
Taxicab Priority List	Date of Birth
Schedule 5 - Tow Truck:	
Tow Truck Owner	June 30
Tow Truck Driver	Date of Birth
Schedule 6- Private Transportation Companies:	
Private Transportation Company	1 year from the Issuance of the Licence

**Appendix E - Mobile Licensing By-law
THRESHOLD POLICY**

POLICY STATEMENT:

This policy deals with Applicants or Licensees who must submit a police check or driver's abstract as part of their Licence Application. When a police check reveals a prior conviction for a serious offence, the Licence Issuer must conclude that it is not in the public interest for the person to be licensed and shall refuse or suspend the licence.

When a Licence is refused or suspended, the Licence Issuer will advise the Applicant or Licensee in writing, setting out the specific conviction that forms the basis of the decision, and tell the Applicant or Licensee of the right to appeal to the Brampton Appeal Tribunal and the deadline for appealing. Any appeal letter must contain reasons in support and be accompanied by the appropriate appeal fee as set out in the City's User Fee By-law. The Tribunal makes the final decision and there is no further right to appeal to City Council.

In the course of an application, the Licence Issuer may also inquire into pending court cases and issue a conditional Licence to the date of the expected court date. Withholding the fact of a pending court date from the Licence Issuer is itself a ground for suspension of the Licence.

SCOPE:

The thresholds will apply to Licences issued by the City of Brampton pursuant to the following Schedules under Mobile Licensing By-law:

Schedule 1 Driving Schools	Schedule 4 Taxicabs
Schedule 2 Limousines	Schedule 5 Tow Trucks
Schedule 3 Refreshment Vehicles	Schedule 6 Private Transportation Company

1-A Despite an application being complete and all fees paid the Licence Issuer shall refuse to issue or renew a Licence and in the case of an existing Licence, the Licence Issuer shall suspend the Licence, if an Applicant or Licensee has:

- (1) any code 01 conviction;
- (2) any code 02 conviction within the last ten years;
- (3) any code 03 conviction within the last five years;
- (4) two or more code 03 convictions within the last ten years;
- (5) any code 04 conviction within the last three years;
- (6) two or more code 04 convictions within the last five years;
- (7) any code 05 or 07 conviction within the last year;
- (8) any code 06 conviction within the last three years;
- (9) two or more code 06 convictions within the last five years;
- (10) three or more code 08 convictions within the last year;
- (11) nine or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licensing Department;

(12) six or more by-law related* convictions within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or were required to be licensed; four or more by-law and related* convictions within the twelve-months immediately preceding the date of issuance;

(13) any code 09 event within the last year; or

(14) overdue by-law fines or other monies owed to the City, unless the Applicant or Licensee provides proof that such fines have been subsequently paid.

1-B The Licence Issuer shall issue, renew or reinstate a Licence, if at the time of the Application for a Licence or Licence renewal, the conviction or event has reached the age set out below.

(1) The code 02 conviction is more than ten years old;

(2) If the Licence was not issued because of a single code 03 conviction, when that conviction becomes more than five years old,

(3) If the Licence was not issued because of two or more code 03 convictions, when at least two of those convictions become more than ten years old;

(4) If the Licence was not issued because of a single code 04 conviction, when that conviction is more than three years old;

(5) If the Licence was not issued because of two or more code 04 convictions, when at least two of those convictions are more than five years old;

(6) If the Licence was not issued because of a single code 05 or code 07 conviction, when that conviction is more than a year old;

(7) If the Licence was not issued because of a single code 06 conviction, when that conviction is more than three years old;

(8) If the Licence was not issued because of two or more code 06 convictions, when at least two of those convictions are more than five years old;

(9) If the Licence was not issued because of a single code 07 conviction, when that conviction is more than one year old;

(10) If the Licence was not issued because of nine (9) or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licence Issuer; when the driver's abstract falls below nine (9) demerit points;

(11) If the Licence was not issued because of three or more code 08 convictions, when three of those convictions are more than one year old;

(12) If the Licence was not issued because of a code 09 event, when that code 09 event is more than a year old; and

(13) If the Licence was not issued because overdue by-law fines or other monies owed to the City, when those fines have been paid.

These thresholds shall be applied threshold for threshold. For example if the Applicant's or Licensee's Licence was not granted by reason of a recent code 02 conviction, the Licence shall be reinstated or issued when the code 02 conviction is more than 10 years old, provided there are no other applicable thresholds.

1-C The Licence Issuer may place conditions and issue a warning letter on a Licence if an investigation of a Licensee reveals circumstances that may in the future cause the Licensee to be in contravention of any of the thresholds listed.

1-D The Licence Issuer may issue a warning letter to be placed in an Applicant’s or Licensee’s file if, at the time of an Application for a Licence or renewal, the Applicant has four or more by-law and related* convictions concerning the licensed business or individual, or any other of the individual’s businesses that are licensed or are required to be licensed, or any of the individual’s prior businesses that were licensed or required to be licensed, within the twelve months immediately preceding the date of issuance or renewal.

The warning letter must advise the Applicant or Licensee about the specific applicable threshold.

* Related legislation may include, but is not limited to, City of Brampton Business Licensing By-law

Criminal Code Offences	Description	Code
Sexual Offences (minors)	Interference, invitation, exploitation, procuring sexual activity (parent or guardian), permitting sexual activity (householder) corrupting children, luring a child, exposure, incest (with minor)	01
Terrorism	Providing, collecting property; using, possessing property; providing, making available property	02
Homicide	Homicide, manslaughter, infanticide, murder, attempt to commit, accessory	02
Major assault and sexual assault offences	Sexual assault with weapon, causing bodily harm, aggravated, assault with weapon, causing bodily harm	02
Sexual offences (against person other than minor)	Exploitation of persons with a disability, incest, indecent act, sexual assault	03
Confinement	Kidnapping, hostage taking, abduction	03
Hate propaganda	Advocating genocide, public incitement of hatred	03
Robbery, extortion	All offences	03
Criminal organization	Participating in activities of	03
Criminal Negligence	Criminal negligence, causing death, causing bodily harm	04
Assault	Assault, of a peace officer	04
Noxious thing, poison	Administering to harm	04
Harassment, threats	Criminal harassment, uttering threats	04
Explosives	Using, possession	04
Weapons	Possession, carrying, trafficking	04

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Firearms	Using in commission of offence, careless use, pointing, possession, acquisition without certificate, causing bodily harm with intent (firearm, air gun, or pistol)	04
Theft offences	All offences	04
Forgery offences	All offences	04
Traps	Setting	05
Break and enter	Break and enter	04
Crime-possession of property	Possession of property obtained by crime	04
Fraud	Fraud offences, falsifying documents	04
Arson	All offences	04
Counterfeit money	Uttering, advertising, dealing	04
Proceeds of crime	Laundering	04
Noxious thing, poison	Administering to annoy, to aggrieve	05
Mischief	Mischief	05
Conspiracy	Conspiracy to commit an indictable offence	05
Prostitution	Offences related to	05
Bawdy houses	Keeping, transporting person to, procuring	05
Operation of motor vehicle, vessels, or aircraft	Dangerous operation, failing to stop for police, failure to stop at scene of accident, operation while impaired, operation with more than 80 milligrams of alcohol in blood, driving while disqualified	06
Other	All other Criminal Code Convictions	07

Controlled Drugs and Substances Act Offences	Description	Code
Possession	Possession	05
Trafficking	Of Schedule I or II substance Of Schedule III substance Of Schedule IV substance	03 04 05
Importing, exporting	Of Schedule I or II substance Of Schedule III substance Of Schedule IV substance	03 04 05
Production	Of Schedule I or II substance (except marijuana) Of Marijuana Of Schedule III substance Of Schedule IV substance	03 04 04 05

Highway Traffic Act	Description	Code
36	Driving while license suspended	07
43(1)	Driving while license suspended	06
Speeding	Exceeding speed by 50 km/hr	06
Careless	Careless driving	06
Fail to remain	Fail to remain at the scene of an accident	06
Fail to stop	Fail to stop when signaled or requested by a police officer	06
Racing	Racing	06
Fail to stop	Fail to stop for a school bus	06

By-Law	Description	Code
	Discriminate against a member of the public	08
	Refuse to serve a blind person guided by a dog	08
	Refuse to serve a physically challenged person	08
	Any instance of plate removal	09

Appendix 2

PTC and Taxicab Licensing Schedule Comparison

	Proposed PTC Schedule	Taxicabs Schedule
GENERAL		
Street Hails	X	✓
Taxi Stand Pick-Ups	X	✓
Limitation on Driver Hours of Operation	✓ Limit of 24 hours over 7 days per PTC Driver calculated based on cumulative duration of Transportation Services originating within Brampton	X average of 60 hours over 7days
Annual License Fee	✓ \$20,000 per PTC/year	✓ Taxicab Broker New \$606 and Renewal \$475. Taxicab License Fee is \$3769 for a new licence and \$430/year to renew. Taxi Driver License Fee is \$94.00/year
Per Trip Licensing Fee	✓ \$0.30/trip originating in Brampton	X
Subject to City Data Audit	✓	X Taxi brokers provide the number of completed trips each year in March
PASSENGER SAFETY		
Valid Class G Provincial Driver's Licence	✓	✓
Annual Review of Drivers' Abstract to Confirm Meet By-Law Threshold for Convictions (Schedule E)	✓	✓ Taxi drivers may pay for their licence for two years and will only be required to submit one abstract over the two years
Annual Review of Criminal Background Check	✓	✓ Taxi drivers may pay for their licence for two years and will only be required to submit one background check over the two years

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Appendix 2

PTC and Taxicab Licensing Schedule Comparison

	Proposed PTC Schedule	Taxicabs Schedule
Insurance Required	✓ \$5 Million Commercial + 2 Million Auto Insurance while vehicle is for the commercial use	✓ 2 Million Commercial General Liability for Taxi brokerage. Taxicabs must have 2 million automobile with a OPCF 6 endorsement
Annual Safety Standard Certificate	✓ If Vehicle driven more than 50,000 Km's require an additional Safety required	✓ Vehicles older than 6 model years require two inspections per year and an additional safety
VEHICLE REQUIREMENTS		
Vehicle Age (Max)	7 Model Years	9 Model years for Taxicabs 10 Model years for Accessible Taxis
Cameras	✗	✓
Signage	✓	✓ Roof Light
CONSUMER PROTECTION		
Set fares	✗ Fares to be calculated using the PTC Operators App	✓ Set Tariff in By-law
Cap on Surge Pricing	✗	✓ Taxis not permitted to charge any fee other than the tariff.
ACCESSIBILITY REQUIREMENTS		
Acceptance of Service Animals	✓	✓
Wheel Chair Accessible Vehicles	✗	✓
TNC Provide Training to Drivers	✓	✓ Taxicab drivers will be required to have training for accessible taxicabs